



# Darwin Harbour Advisory Committee

## DRAFT MINUTES FOR MEETING 23

Thursday 14<sup>th</sup> February 2008

1pm to 4pm

EHA Conference Room, 2F Darwin Plaza

### 1. Welcome And Apologies

#### Present:

Name	Representing
John Bailey	Independent Chairperson
Chris Makepeace	Amateur Fishermen's Association of the NT
Duncan Dean	Community Representative
Prue Barnard	Australian Marine Conservation Society
Peter Ebsworth	Greening Australia NT
Luccio Cercareli	Local Government Association NT
Bob Wasson	Charles Darwin University, Chair Ecosystem Research Group
Alastair Black	Darwin Port Corporation
Lyn Allen	Executive Director, Environment Heritage & the Arts
Juanita Croft	Director Environmental Assessment & Policy
Robyn Henderson	Environment, Heritage and the Arts – Project Coordinator, Darwin Harbour Regional Plan of Management
Chantal Caruso	Environment, Heritage and the Arts – Environmental Policy Officer LHC

#### Guest Speakers

Julia Fortune	Aquatic Health, Environment Heritage and the Arts
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#### Apologies:

Donna Jackson	Larrakia Nation Governing Committee, Larrakia Nation Harbour Committee
Greg Bicknell	NT Chamber of Commerce

### ***PREVIOUS BUSINESS***

### 2. Acceptance Of Previous Minutes

The Committee agreed that the minutes from the previous meeting be accepted.

Moved: Luccio Cercareli

Seconded: Peter Ebsworth

### 3. Action Sheet From Previous Meeting

Action sheet noted and brief update given.

- # 8 Power point presentation from Alastair Black to be provided to Bob Wasson and other DHAC members
- # 13 The Onshore Gas Development Taskforce has not yet contacted DHAC to meet, as suggested in Paul Tyrell's letter of last year. Once the dust has settled following CEO changes this should be followed up.
- # 16 As mapping becomes available it will be chased up.

Discussion was held about Government's long term planning and the rapid industrial development proposed for the Darwin Harbour Region. Concern was raised that Government lacked a long term strategic plan and that Development would be ad hoc.

Lyn Allen is of the understanding that the Government considers that it has a strategic plan for development and the Middle Arm Environmental Assessment would take this to a new level of detail. The Planning Scheme would be updated including regional objectives.

Discussion was held about whether DHAC has a role to ask Government for its strategic outlook for the whole region. DHAC advised the Department of Planning and Infrastructure of the need for a strategic environmental assessment for Middle Arm and provided input to the process. At this time DHAC also suggested long term planning for the Region. Discussion was held on whether Government's Plans for Middle Arm and the overall strategic plan for the region are being covered in the review of the Plan of Management. Members agreed that if the new Draft Plan is developed with Ecologically Sustainability Development Principles and other guiding principles, then development of the region should be undertaken in line with the principles.

It was suggested DHAC write a letter acknowledging that though Middle Arm is undergoing strategic planning could there be consideration for this level of thinking across the whole Harbour. This led to discussion and agreement that Planning should be invited to give a presentation on its current Plan and the principles being used.

**Action**

1. DHAC will request DPI make a presentation which provides an overview of the current planning basis for decision making for the Darwin Harbour region, during a regular or out of session meeting.

**4. Water Quality Protection Plan Update and Report on EMG**

Julia Fortune briefed the Committee on the recent EMG meeting and options for the approach to setting water quality objectives.

The recent EMG meeting was held 7 February and was well attended by stakeholders. At the meeting the following points were discussed:

- An update on the stage where the monitoring group has reached within the overall process
- Beneficial uses have been defined and feedback from the public indicated that environmental value is in most areas considered a beneficial use.
- Water quality indicators
- Guidelines and draft objectives were being developed
- 6 core water types have been identified:
  - Rivers and streams
  - Lagoons (wetlands)
  - Reservoirs
  - Groundwater
  - Estuaries (3 types in Darwin) and
  - Marine
- There is limited knowledge on Shoal Bay, it has been defined as mid-estuarine (with tidal creeks) but is a shallow and dynamic system.

### **Options for Water Quality Objectives**

Julia also briefed the group on three options in relation to setting water quality objectives:

- Option 1: Exclusion Option. Different water quality objectives will be set depending on the level of disturbance
- Option 2: Alternative Objective. Refers to current conditions
- Option 3: Reference Condition. (Preferred option) Regardless of the disturbance, the reference condition is the objective. There is some reluctance from aquaculture and PWC to this option since their 'report cards' won't be glowing; however, the means of reporting and the associated information can be managed to reduce their concerns. Management strategies could be put in place to improve conditions.

Discussion was held in relation to new infrastructure requirements. It was Lyn Allen's view that developers would need to meet the water quality objective, with the point being to give NRETA as regulators a better idea of what we're aiming at. The water quality objective should reflect Beneficial Use Declarations, with Environment found to be the most valued use by the community.

John Bailey stated that at the EMG meeting concern had been raised over the Exclusion (disturbed system) option, where a disturbed system can appear 'ok' if different standards are given. The feeling is that it's important to set the ideal value and then as part of the licence condition requiring improvement to the system. There was discussion and agreement that reporting should be against the same guidelines, and a requirement of the licence being to report why objectives were not met. Julia Fortune reported that there was consensus

at the meeting on the Reference Condition option being preferred, and said this was the approach in other jurisdictions (e.g. Queensland) where a score of 'F' leads to opportunities for context and improvement.

Lyn Allen and Chris Makepeace agreed the key point is a regulatory framework for continuous improvement. From here the process will be to define the objectives and management strategies, and to plan a monitoring program including biological indicators, and deal with data deficiencies.

Bob Wasson raised concerns about using load targets for total N & P and the difficulties with the harbour model being based on assumptions of nutrients. AIMS provides insight into nutrients. Julia Fortune responded that soluble fractions will be measured but that information on catchment loads has been based on totals and problems with the sampler and infrastructure were acknowledged. Karen Gibb is doing work on biological indicators.

## **5. Environmental Assessment of Middle Arm update**

Juanita Croft provided an update on the Middle Arm Environmental Assessment. Government is in the process of finalising the Terms of Reference. for the assessment. Management of Environmental Assessment will be done by a government working group.

## **6. DHAC to host TRaCK Public Presentation**

John Bailey and Robyn Henderson reported that to increase public awareness of DHAC, the WQPP project and TRaCK, DHAC would be hosting a public presentation

The proposed date is 19 March ~ 3.30pm

Two presenters have been confirmed:

- Michelle Burford (Eco Helath and AIMS research, sewage input on magroves)
- Jodi Simth (nutrient cycling in tidal mudflats)

Michael Douglas will be also be asked to provide a presentation on TRaCK in the Northern Territory.

DHAC members were asked for additional ideas for presenters. Bob Wasson suggested David Parry could present on the catchment component, (with 60% sediment sourcing from offshore) and Bob will brief him.

The group support the initiative.

### **Action**

2. Chantal Caruso & George Maly to follow up with Bob Wasson on confirming speakers for the TRaCK Presentation.

## 7. Review of the Plan of Management – Update

Robyn Henderson provided an update on the Review. There is more information to include in the new Draft Plan (eg reporting, implementation) and a lot to discuss on the 'way forward' but we have the body of the new Draft.

The group agreed the new Draft is very close to being finished and were delighted.

The group discussed the process from here, and it was proposed that:

- DHAC will get the Draft close to being finished
- The Draft will be sent to interested parties (across government) for whole of government feedback. This will include the 6 councils.
- After feedback has been incorporated this will be the stage that the Draft will be taken to the community

The difference in approach is that last time DHAC gathered information first and handed it back to government. The aim this time is for co-signing by Government and the DHAC chair.

Lyn Allen asked if the group thought it was at a sufficient stage to take across government now. It was decided the group should have a week to make final comments, and then hold an out of session meeting to work on it, possibly as a sub-committee.

The group discussed that there was much more of a big picture in the new Draft, and were generally very happy with its progress. Bob Wasson raised the question of how words/concepts could be clarified, and that it would also be helpful to think about how some items could be operationalised. It is important to reduce ambiguity.

Robyn has started a timeline with NRETA Communications and it is anticipated that the finalised Plan will not be released before August. The timeline and consultation strategy will be provided in due course.

Associated documents (DHAC Report on the Review of the Plan including the process and rationale behind developing the new Plan to go out with the new Draft Plan during the Public Consultation) are being drafted by Robyn Henderson and Juanita Croft.

### **Action**

3. An out of session DHAC workshop is to be organised to progress the Review of the Plan of Management.

## 8. Larrakia Harbour Committee (LHC) update

Chantal Caruso reported to the group that:

- LHC has been invited to make input on the Howard River catchment project. This is a project funded through the National Heritage Trust and administered by NT Government, to begin in March.
- Donna has prepared a brief from the Harbour site tour and showed the DVD at the last LHC meeting. The footage is great. It's anticipated she will present the brief and footage to DHAC once it's endorsed by LHC
- WQPP – the Larrakia Draft Values report is complete and should be finalised and endorsed by the LHC at their next meeting, set for 19 February.
- Larrakia wrote to NRETA to seek funding for archaeological & flora and fauna survey of Cox Peninsula. The response was positive, with NRETA acknowledging there is a gap of knowledge on the west coast of Darwin Harbour and this would be a priority to fill. There is also support for a flora and fauna survey if the survey has strong support from Larrakia elders. The outcome was a proposed meeting between Larrakia, NRETA and Chief Ministers' Department to talk about a project that included a vegetation map, marine habitat surveys of the north of the peninsula, and recording traditional knowledge and including training opportunities for Larrakia.
- Petroglyphs – there are 3 art sites on sandstone rock outcrops on Middle Arm, only recorded in 1993. These are the only example in the Darwin region. LHC was concerned that the petroglyphs were not protected from accidental/intentional harm. Working with our heritage conservation services the sites will be fenced off and interpretive signage will be posted.

Bob Wasson asked whether LHC could do a tour of the catchment similar to the boat trip exercise, or a series of tours and include DHAC and government people, as everyone involved thought it was (or sounded) very beneficial. DHAC will talk to Donna about this down the track.

## **9. Current Environmental Impact Assessment matters – status report**

Juanita Croft reported the EIS for GBS Maud Creek Gold Mine is on public exhibition for 6 weeks,

## **10. Proposed involvement in Water Allocation Planning**

Chris Wicks provided an update on the model and work proposed for Darwin Region Water Allocation Committee (DRWAC). Resources required and funding sources have been identified, and personnel and operational resources will be known in March. The DHAC model is being used as the basis for WAC support.

Ian Lancaster described water management in the NT and the role of the proposed committee:

- WAC under the Water Act will be a statutory committee with regional reference groups.
- Water resources are under pressure from competing uses.
- Katherine has a good model of discrete plans for discrete uses
- Howard East aquifer is under the most pressure and is the public water supply, followed by Berri Springs.

#### Water Allocation Plans

- The aim of each Plan is to provide rules and regulations of how the resource is managed.
- Plans will be put out for public comment (30 days)
- The most controversial and complex will be the Darwin rural region
- Feedback on new plans (models) is invited
- Big plans haven't worked well previously. For example Alice took 7 years to draft.

John Bailey clarified the role and interaction of DHAC and DRWAC. DRWAC would be a separate committee which most DHAC members would sit on, with other membership (such as horticulture) being added. The option for DHAC to absorb DRWAC's responsibilities and become an overarching advisory committee with statutory power in relation to the Water Act (by expanding its membership and its boundaries to mirror those covered in the Darwin Region water plan) was not supported by the group. Luccio stated DHAC should not be broadened but to 'keep doing what we do better' and to keep in mind DHAC is already doing more work that it can manage, with development is occurring faster than what anyone can regulate on. Chris Makepeace agreed, adding DRWAC won't be as big as DHAC as it will deal with less issues.

Chris raised the question on whether DRWAC will be established with 6-7 councils, and said it would be important for Tourism, the Chamber of Commerce, and the Development board to be sitting on local reference groups.

#### *Can the relationship between DHAC and DRWAC be clarified?*

- DRWAC will be gazetted and members appointed by Ministerial invitation
- Water Advisory committee will be essentially the same people (as DHAC) but with different hats on

#### *How will this relate to Regional Reference Groups?*

- There will be 9 sub groups that mirror the 9 regional water allocation plans:
  1. Darwin city – Palmerston
  2. Howard East
  3. Berri Springs
  4. Murrumbidgee
  5. Finnis/Dundee
  6. Lower Finnis
  7. Cox Peninsula

8. Acacia
9. Rest of NT

The larger sub groups (eg Howard East) will hold informal, general meetings and one-on-one / community development work to provide feedback from the community on the Plans. The smaller sub groups (eg Acacia) will be more formal meetings, and could be chaired by DRWAC. Regardless, the groups will propose the 'numbers' (Water Allocation Plan) to DRWAC. If DRWAC finds it acceptable it will go up to the Ministerial level and be declared, but as DRWACs Plan.

DRWAC will create general policy (for example bore rates before requiring a licence, bore densities for total regions, land use through water use).

The Plans can be reviewed and will include monitoring. Cut offs of up to 100% will be built in (ie trigger points for allocation cuts).

The science is being developed. There is a long way to go with water resource monitoring and community and indigenous values. For example, future economic development for indigenous values is a real issue that will need to be planned for.

*Is there a link between EMG and ERG to DRWAC?*

EMG and ERG will be the technical committees assisting DRWAC - they will have the same access DHAC does.

Summary: DHAC to continue with its current work and boundaries. The group agrees to be kept separate and not lose focus.

## **11. DHAC role and Member's views**

John Bailey clarified with the group that DHAC is not a decision making committee that operates on a 'majority' rule but rather that the role of DHAC is to represent a range of views. If members don't think their views are being expressed then 'we are failing'. Members are asked to make sure their views are minuted and included in correspondence. It's important for members to be clear on their roles, and in the media it is perfectly acceptable to talk "as a member" of DHAC but not "on behalf" of DHAC.

## **12. Report on ERG**

Bob Wasson reported to the group that the ERG held its first meeting in some time on 11 February with the purpose of brainstorming how to feed in to the Review process. The ERG strongly feels a more strategic approach to research needs can be taken.

As such, the ERG will be having a strategic meeting in a month to discuss existing research, gaps in research, and how to set the scene for future

research and partnerships. So far the resourcing approach by DHAC, CDU and Australian Research Council has been opportunistic.

DHAC members are welcome to attend this meeting and DHAC members were also asked to nominate any possible 'missing members' from the list.

Bob will also meet with Lyn Allen to seek advice on government involvement and partnerships. Lyn suggested inviting DBERD and talking to Stephen (DBERD liaison)

Bob listed the research topics discussed at the ERG meeting which included:

- nutrients
- IMOS monitoring
- climate change – sea level, storm surge and temperature, extreme events, sea levels and the wharf and catchment
- biological and habitat maps (apart from iconic species such as corals we lack fine scale and sensitive habitat maps)
- terrestrial catchment issues – plant communities, weeds and fire projects
- changes in Darwin's beaches

John Bailey added that DCC is doing work on cliff face erosion, with aerial photographs and computer overlays over 60 years demonstrating a rate of erosion over 1m per year, which is accelerating with acidic soils and storms.

The overarching questions for the strategic planning meeting are:

1. How to set the scene for the future.  
DPI could help set the scene, Lyn Allen suggested inviting Rod Applegate (DPI) or Richard Hancock (new DPI Chief Executive).
2. What are the 'big ticket' research items and how to resource them?  
Lyn suggested adding Sam Cleland (BOM) to the ERG membership. The group also discussed a levy on development, (eg 0.1% in WA). The meeting could consider a package for the private sector. Industries with an obvious interest such as Conoco Phillips have made investment and MRM has developed a community benefit package.

Bob will have a discussion with Lyn Allen in relation to government resources and developing a package to take to Industry as well.  
Lyn suggested inviting someone from the DBERD Innovation Program for Government program (Backing Territory Research  
<http://www.nt.gov.au/business/services.cfm?cat5id=95>)

John Bailey suggested Angelica Hesse (Environmental Manager, DCC) be nominated to the ERG membership.

#### **Actions**

4. John Bailey to forward information on cliff face erosion.
5. DHAC members to nominate persons for ERG membership to fill 'gaps' in knowledge/interest/expertise, Chantal Caruso

to distribute ERG list to DHAC members.

6. Bob Wasson to meet with Lyn Allen and relevant parties to discuss government resources and an Industry package for research.

### **13. Cullen Bay Maintenance Dredging**

Lyn Allen reported that the Cullen Bay dredging Waste Discharge Licence (WDL) is on the NRETA website, as are all WDLs. Dredging is scheduled for April.

Monitoring (manual monitoring) was done in 1999 with no evidence of sediment on nearby beaches and rapid dispersal of the plume. The proposed maintenance dredging in 2008 incorporates a DPI 'research project' to acquire Water Quality data to calibrate the model and test feasibility of automatic monitoring.

The rate of dredging will be much faster this time, occurring over weeks (rather than months, as was the case in 1999) and with greater turbidity/density expected. The cut off limit is >10% of ambient conditions and at that point the Controller (ie Lyn Allen) would 'step in'.

John Bailey checked with the group that they understood the context and scope of work. Chris Makepeace reported the dredging would be at the entrance to the Loch where the Fannie Bay Sandbar creates a natural deposition of sand. The dredging last occurred in 1999. The material to be dredged is mud. The issue is that the channel is presently too shallow for the Mandorah Ferry to access.

John also explained that he had been advised in one of his regular meetings with Lyn Allen that the maintenance dredging was scheduled, but as it wasn't a significant or new project and it did not warrant formal assessment under the *Environmental Assessment Act* it wasn't brought back to DHAC (the proposal was submitted as a Notice of Intent and this is not a public process). A query was raised over copper sulphate deposition from previous treatment of black striped mussels, but DPI had found no significant deposits in their testing.

On separate issues, the group was informed there will be maintenance dredging in Fort Hill wharf where ~7000m<sup>3</sup> of mud will be removed and discharged 600m from the site (not side cast). The WDL has not come before Lyn Allen yet. Guidelines for Middle Arm include dredging.

### **14. Closure of Darwin Harbour and Shoal Bay from inshore commercial coastal net fishing**

Chris Makepeace reported to the group that DPIFM has bought back coastal fisheries licences, making Darwin Harbour essentially commercial fishing-free.

## 15. Above Capricorn Technologies

DHAC was sent a letter regarding technologies for primary sewage & sub-surface treatment. PWC is already aware of the technology. It's not DHAC's role to push individual technologies/industries, however DHAC could ask if Paul Heaton is still happy to present back to the group on what they're doing in relation to alternative technologies. Bob Wasson supports this idea, as there are many technologies available.

**Action:**

7. DHAC will invite PWC to present to the group on alternative sewage treatment technologies.
  
8. DHAC will also reply to Above Capricorn Technologies that it is aware of alternative technologies and it has asked PWC why more are not being used.

## **16. Correspondence**

Incoming and outgoing correspondence was tabled. List of correspondence noted.

## **17. Financial report**

The financial report for 31 January 2008 was tabled.

## **16. Other Business**

- (a) Comments on Buffalo Creek signage. DHAC are deeply concerned by the lack of signage warning people not to eat shellfish. Lyn Allen reported that the Government is still discussing signage, and NRETA are actively pursuing the issue. The question whether DHAC should write to the Minister regarding 'public risk' was raised, however the group is reluctant to be seen in a 'policing' role. DHAC has already been vocal on the issue.
- (b) John Bailey reported that the DHAC Chair contract expires in March and is being advertised over the weekend. The group was asked to 'spread the word', and hoped there would be information for applicants regarding the water role and expectations for the position.

Next regular meeting is scheduled for Thursday 10 April 1pm – 4pm

Meeting closed 4.05pm

**ACTION SHEET**  
**Meeting 23**  
**Thursday 14 February 2007**

<b>Agenda Number</b>	<b>Agenda Item Title</b>	<b>Action</b>	<b>Responsibility</b>	<b>Time frame</b>	<b>Status</b>
3	Action from Previous Meeting	DHAC will request DPI make a presentation which provides an overview of the current planning basis for decision making for the Darwin Harbour region, during a regular or out of session meeting.	Robyn Henderson/ Chantal Caruso and John Bailey	10 March 2008	
6	DHAC to host TRaCK Public Presentation	Follow up with Bob Wasson on confirming speakers for the TRaCK Presentation.	Chantal Caruso & George Maly	28 February 2008	
7	Review of the Plan of Management - Update	An out of session DHAC workshop is to be organised to progress the Review of the Plan of Management	Robyn Henderson/ Chantal Caruso	10 March 2008	
12	Report on ERG	John Bailey to forward information on cliff face erosion	John Bailey	15 March 2008	
12	Report on ERG	DHAC members to nominate persons for ERG membership to fill 'gaps' in knowledge/interest/expertise, Chantal Caruso to distribute ERG list to DHAC members.	DHAC/ Chantal Caruso/ Robyn Henderson	15 March 2008	
12	Report on ERG	Bob Wasson to meet with Lyn Allen and relevant parties to discuss government resources and an Industry package for research.	Bob Wasson.	7 March 2008	
15	Above Capricorn Technologies	DHAC will invite PWC to present to the group on alternative sewage treatment technologies.	Robyn Henderson/ Chantal Caruso and John Bailey	7 March 2008	
15	Above Capricorn Technologies	DHAC will also reply to Above Capricorn Technologies that it is aware of alternative technologies and it has asked PWC why more are not being used.	Robyn Henderson/ Chantal Caruso and John Bailey	7 March 2008	